

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16450 of 2022

Arising Out of PS. Case No.-11 Year-2021 Thana- TARABARI District- Araria

MD IMAM @ SK. IMAM @ IMAM @ SHEKH IMAM MD YASIN @
SHEKH YASIN @ YASIN Resident of Village- Baturbari, Ward No.12, P.S.-
Tarabari, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-07-2022 Heard learned counsel for the parties through video
conferencing in view of the COVID 19.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is facing trial in connection with
Tarabari P.S. Case No. 11 of 2021 corresponding to S.T. No. 103
of 2022 under Sections 304(B)/34 of the Indian Penal Code.

The allegation in the FIR is that the petitioner, who is
husband of the deceased was married to the daughter of the
informant five years ago. However, despite blessed with two
children, he continued demanding money and it has been
alleged that recently a motorcycle was gifted to him as per his
demand. The further allegation is that despite providing



motorcycle to the petitioner, he continued with his demand and was asking for another Rs. 1 lakh.

The informant got knowledge on 02.02.2021 that her daughter has been killed and the accused persons had fled away from their home. Accordingly, the informant lodged this FIR.

Taking into account that allegation of dowry followed by a gift of motorcycle with further demand of Rs. 1 lakh and finally the death of the daughter of the informant in which the petitioner being her husband, cannot exonerate himself from the responsibility that his wife is no more.

Considering the aforesaid facts, this Court is not inclined to grant him the privilege of bail which is accordingly rejected.

Since as per the bail application, the case has already been committed to the Court of Sessions, the trial Court is directed to expedite the trial and take the same to its logical conclusion.

(Rajiv Roy, J)

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